IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 35683 of 1997

Between:

Katamoni Balaswamy, S/o. Chinna Bakkaiah.
R/o. Anthapur Village, Hamlet of Edula Village,
Gopalapet, Mahabubnagar.

..... PETITIONER

AND

1 Govt. of A.P., Rep. by its Principal Secretary,
Social Welfare Department, Secretariat Buildings,
Hyderabad.
2 The A.P.State Housing Corp., Rep. by Managing Director
Hyderabad.
3 District Collector,
Mahabubnagar District, Mahabubnagar.
4 The District Manager,
A.P.State Housing Corporation, Mahabubnagar District,
Mahabubnagar
5 Mandal Revenue Officer,
Gopalpet Mandal, Mahabubnagar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly a writ in the nature of Mandamus declaring the action of the respondents in sanctioning the Houses on pick and

choose basis from among the beneficiaries in the matter of allotment of 25 houses presently sanctioned to Ananthapur Village, Hamlet of Edula Village, Gopalpet Mandal of Mahabubnagar District as illegal and by directing the respondents herein to allot houses to the beneficiaries of plots assigned by Respondents only and that too to allot in Seriatim plots available vacant now more particularly the Sl.Nos. of plots ie., 22,23,24, 25, 27, 28, 29, 31, 32, 33, 35, 36, 37, 39, 40, 41, 44, 47, 50, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, and 63 in Sy.No.300/2 and 372/2 at the said Village.

Counsel for the Petitioner:MR.V.HANUMANTH RAO

Counsel for the Respondent Nos.1, 3 and 5: GP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2 and 4: Mr.V.Ch.Naidu

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

An order was passed in W.P.No.4398 of 1997 dated 5th July, 2004. Similarly, this writ petition is also disposed of with direction that the allotment so far made of the houses constructed as per the scheme will not be disturbed. The allotments will continue to remain in operation but no further allotment would be made under the policy as notified through G.O.Ms.No.87 dated 24th October, 1996. Fresh allotments would be made as per the policy of the Government to be formulated by the State Government. In the event of any person being aggrieved by the policy to be formulated, he will at liberty to challenge the same in accordance with law.

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DEVINDER GUPTA, CJ

10-11-2004

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C.V.RAMULU, J

Tvr

To

1 Govt. of A.P., Rep. by its Principal Secretary,
Social Welfare Department, Secretariat Buildings,
Hyderabad.
2 The A.P.State Housing Corp., Rep. by Managing Director
Hyderabad.

3 District Collector,
Mahabubnagar District, Mahabubnagar.
4 The District Manager,
A.P.State Housing Corporation, Mahabubnagar District,
Mahabubnagar
5 Mandal Revenue Officer,
Gopalpet Mandal, Mahabubnagar.

6 2 CCs to the Govt. Pleader for Social Welfare, High Court buildings,

Hyderabad (OUT).

7 2 CD copies.